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SUBJECT: AMBASSADOR AGAIN RAISES VIET TAN AMCIT ARREST CASE WITH  
VICE FOREIGN MINISTER

¶1. (SBU) On November 21, the Ambassador spoke again with VFM Phan Binh Minh to renew his protest concerning the arrest of U.S. citizen Leon Truong. VFM Minh confirmed that Mr. Truong has been arrested for violating Article 84 of the Criminal Code concerning terrorist activity, literally "to oppose the people's administration and infringe upon the life of officials, public employees or citizens." He noted that the Viet Tan is on the GVN's list of terrorist organizations. The Ambassador emphasized that the U.S. Government rejects that allegation that the Viet Tan is a terrorist organization, pointing out that Viet Tan explicitly advocates only peaceful means to promote political change in Vietnam. VFM Minh rejected this assessment. Minh confirmed that he is aware Vietnam's actions against activists will be a focus of interest in the United States, including on Capitol Hill.

¶2. (SBU) When the Ambassador asked how long it would be before Consulate Ho Chi Minh City is granted consular access to Truong, VFM said MFA Consular Department has been tasked with addressing this issue. Earlier on November 21, ConOff met with the Director General for Consular Affairs Duong Chi Dzung to reiterate the request for consular access to Truong. ConOff reminded Dzung that the Consular Minutes between the United States and Vietnam provide for consular access within 48 hours of notification. Dzung confirmed that Truong had been arrested on a "terrorism" charge. He also confirmed that no other Americans had been arrested in connection with this case. Dzung said that his office was aware of the request for consular access and would work to ensure that it was granted as expeditiously as possible.

¶3. (SBU) Post has prepared contingency press guidance to be used in the event consular access is granted and a privacy act waiver is signed over the holiday. The guidance has been forwarded to the Department for clearance.

¶4. (SBU) Comment: Today's discussions confirmed that Vietnam is charging Mr. Truong, but shed no additional light on the whereabouts of Nguyen Quoc Quan, the AMCIT identified in reports from the United States as also arrested on November 17. Vietnam's accusation that Viet Tan is a "terrorist organization" is rooted in both Hanoi's understanding of the current goal of the organization: the end of Communist rule; and its history: most reports indicate that some leaders of the group, which was founded in 1982, once advocated violence in the pursuit of political goals. The group has recently explicitly and repeatedly emphasized the non-violent nature of its tactics. Mission Vietnam stands ready to undertake a consular visit to Mr. Truong as soon as permission is granted by the Vietnamese.

MICHALAK